

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CRIMINAL DOCKET NO. 5:06CR22-9-V**

THIS MATTER is before the Court on the Defendant's Motion To Correct Clerical Error
In Judgment, filed 7 December 2007.

The Defendant's motion represents that during the sentencing hearing in this matter on 7 October 2007, the Court indicated that it would provide in the written Judgment that the Defendant would not have to report to the institution designated by the Bureau of Prisons until after 1 February 2008. The motion further represents that the Defendant may be called as a witness for the trial of co-defendants which is scheduled for this Court's January 2008 criminal term. Additionally, the motion reflects that the Defendant has received a letter from the United States Marshal Service directing him to report to the federal penitentiary in Atlanta, Georgia on 27 December 2007.

A written Judgment was entered on 23 October 2007 with a notation on page 2 "REPORT NOT AFTER FEBRUARY 1, 2008." For the reasons stated in Defendant's motion and for good cause shown, that the United States Marshal Service and the Bureau of Prisons have interpreted this notation to mean that the Defendant must report before 1 February 2008, and that the Government does not object, an Amended Judgment will be entered in the above case.

IT IS, THEREFORE, ORDERED that an Amended Judgment should be filed with the following changes made on page 2, "DEFENDANT IS NOT TO REPORT FOR SERVICE OF SENTENCE UNTIL AFTER 1 FEBRUARY 2008, BUT NO LATER THAN 28 FEBRUARY

2008". **IT IS, FURTHER, ORDERED** that the Clerk's Office send a copy of this order to the United States Marshal Service, Bureau of Prisons, United States Attorney's Office and Defense Counsel.

Signed: December 19, 2007



Richard L. Voorhees
United States District Judge

